

U.S. Department of Labor
Occupational Safety and Health Administration
919 Market Street
Suite 900
Wilmington, DE 19801
Phone: 302-573-6518 Fax: 302-573-6532



Citation and Notification of Penalty

To:
Allen Harim Foods, LLC
18752 Harbeson Road
Harbeson, DE 19951

Inspection Number: 1014956
Inspection Date(s): 12/16/2014 - 12/17/2014
Issuance Date: 06/15/2015

Inspection Site:
18752 Haberson Road
Harbeson, DE 19951

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.**

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/15/2015. The conference will be held by telephone or at the OSHA office located at 919 Market Street, Suite 900, Wilmington, DE 19801 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1014956

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951
Issuance Date: 06/15/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 919 Market Street, Suite 900, Wilmington, DE 19801**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Typed or Printed Name

Date

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 1 Item 1 Type of Violation: **Serious**

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause serious physical harm to employees, in that employees were required to perform manual tasks involving ergonomic risk factors including, but not limited to, excessive force and exertion, repetitive motions, and awkward postures resulting in ergonomic stressors that caused or are likely to cause musculoskeletal disorders (MSDs) including, but not limited, to tendonitis, carpal tunnel syndrome, trigger thumb, and shoulder pain:

- a) Cone Deboning (departments 665/765/664): On or about January 26, 2015 and at times prior and since, employees on the cone deboning line perform tasks that require torso twisting and lifting in a repetitive motion for extended periods of time and often in awkward positions exposing employees to ergonomic stressors that cause MSDs. The positions include, but are not limited to, Cone Loader;
- b) Cone Deboning (665/765/664): On or about January 26, 2015 and at times prior and since, employees perform tasks that require the use of scissors and/or knives to remove chicken parts, fat, and cartilage in a repetitive, forceful motion for extended periods of time and often in awkward positions exposing employees to ergonomic stressors that cause MSDs. The positions include, but are not limited to, 1st and 2nd Shoulder Cut, Wing Cutter, Breast Puller, Tender Scorer, and Tender Clipper;
- c) Tray Pack (658/758): On or about January 26, 2015 and at times prior and since, employees perform tasks that require the use of a knife to split chicken breasts and the use of scissors to trim fat, cartilage, and bone from chicken breasts in a forceful motion for extended periods of time exposing employees to ergonomic stressors that cause MSDs. The positions include, but are not limited to, Breast Splitter and Breast Trimmer.

Feasible and acceptable means of abatement include but are not limited to: Engage in a process that includes analysis of the worksite, medical management of employee symptoms and injuries, training and education of employees in both recognition of injury and avoidance of injury, and hazard prevention and control to determine and implement the most effective methods of addressing the ergonomic risk factors.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

The employer may adopt any measures that are effective in reducing or eliminating the risk factors for MSDs. Specific feasible methods for abating the ergonomic hazards include, but are not limited to;

Engineering Controls:

1. Adjustable height platforms should be individual stands, easily adjustable, have a foot rail to alleviate the stress of standing. Adjust the stands in between rotations to ensure that employees are working with minimal stressors caused by awkward positions. Train employees on how work height affects neutral posture. During new employee training, employees should demonstrate that they adjust the work platform to a height that minimizes neck, back, shoulder and wrist non-neutral postures. Consider numbering the slots on the work platform stand, so height adjustments can be easily replicated.
2. Evaluate work stations to determine the proper design of the stations to include, but not limited to, reducing reaching and twisting. Evaluate the position of the skinner conveyor belt in 664 to eliminate awkward postures such as twisting.
3. Provide scissors and knives with ergonomic handles designed for repetitive tasks. Scissor handles should be contoured and soft to avoid contact stress on the fingers. Provide scissors in multiple sizes to fit the employee's hands as well as left and right-handed models. Increase knife sharpening frequency on and off the lines.
4. Evaluate the knives and other tools available to cut wings and provide the most appropriate tool to employees.
5. Evaluate position of knife and scissor sharpeners to allow employees to use easily and often and to reduce employee reaching and minimize non-neutral positions. The sharpeners should be below shoulder height and maintained regularly.
6. Develop a knife and scissors sharpening program to include a schedule for replacing knives and scissors for every department, inspection procedures to ensure sharpness, proper sharpening techniques, and procedures for employees to request sharpening or a new tool if it can't be sharpened by them. Include spare knives and scissors on the lines so that dull or worn ones can be removed immediately. Develop and introduce knife and scissor replacement standards that specify end of life indicators for triggering replacement. Replace knives and scissors as needed based on usage. Employees should be trained on the program, frequency of sharpening, and how to properly sharpen. Worn knives and scissors should be taken out of service immediately.
7. Install a training line so that new hires, temporary employees and employees learning new tasks can be trained on the proper position, height, and technique without the stress of keeping up

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

with the line speed. Develop a work hardening program so that employees are on the training line for a progressively increased amount of time in order to strengthen muscles and reduce soreness and pain.

Administrative Controls:

1. Educate all employees including management about basic ergonomics principles and proper body positioning. Training should be conducted prior to assignment and periodically throughout the year to reinforce the importance of the ergonomic measures and their wellbeing. Training should emphasize proper techniques including work height and grip and increase the understanding of the importance of avoiding harmful and hazardous postures and procedures. New hires and temporary employees should be trained on how to work in neutral postures, to keep wrists straight, use of maximum grip strength, and why deviations from these positions lead to injuries. Training should also be conducted for management (line leaders and supervisors included) since they can assess and encourage proper work techniques. Training will also increase their knowledge of the subject allowing them to make better purchasing and work organization decisions. Maintenance personnel also need this type of training since they often adjust and maintain equipment, to include workstations, at the work site and can be an invaluable source of ideas about development of new tools or equipment modifications that can reduce the hazard to the employees.
2. A rotation schedule should be developed, written, and implemented for each department with ergonomic stressors in order to minimize employees being rotated to positions with similar muscle use and tool use. Bonus positions should be included in this rotation. Rotations should be to other tasks to prevent continuous use of tools such as knives and scissors. Incorporate micro-breaks during each task rotation to allow employees time to stretch and rest muscles.

Ergonomic Program and Medical Management:

1. Conduct an ergonomic assessment, by a certified professional ergonomist, industrial engineer, or other qualified professional, of the deboning and tray pack tasks and jobs. The ergonomist, or other qualified professional, shall provide a job hazard analysis and recommendations for reducing or eliminating ergonomic risk factors from the work of the employees performing repetitive hand activity. The company should implement controls to eliminate the hazard or reduce the hazard to more acceptable levels.
2. Develop a participatory ergonomics team. The composition of the team should be multi-disciplinary, including at least four hourly employees, union representation, plant management,

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

engineering, maintenance, medical, and safety. The team should receive base training to achieve a basic competence in ergonomic hazard identification, principles, and risk reduction approaches with ongoing training and education. The team should solicit employee suggestions and follow-up on resolution to the suggestions. The team should provide input to changes in layout and hand tool selection. The committee should consult a certified professional ergonomist or other qualified professional to review repeated concerns and conduct independent and joint audits.

3. An outside expert in medical management protocols should review the medical management protocols for treating musculoskeletal injuries and education for employees on early reporting. The review of the protocol should include recommendations for alternate duty (e.g., time on alternate tasks/reassignment options for restricted duty) and appropriate indicators necessary to refer employees to a doctor or specialist. The expert should conduct initial plant EMT training and follow-up training. The expert should provide an annual review of trends in the Protocol log and recommend changes in the protocol based on the trends.
4. Allow employees who report musculoskeletal pain or who are on work restrictions due to a musculoskeletal injury to be reassigned to tasks with no, little, or different ergonomic stressors.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/31/2015
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.37(b)(4): Signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge when the direction of travel to the exit or exit discharge was not immediately apparent:

a) Allen Harim Harbeson Plant, Harbeson, DE, Deboning I - On or about 5/21/2015, the employer did not post signs indicating the direction of travel to the nearest exit and exit discharge where exit routes were not apparent and exit signs were not visible.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/02/2015
review r



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

- a) Hallway Exit sign between Receiving Area and Killing area - On or about 12/17/2014, the employer failed to ensure the exit sign was illuminated by a reliable light source.
- b) Exit sign in Scalding Room - On or about 12/17/2014, the employer failed to ensure the exit sign was illuminated by a reliable light source.
- c) Exit sign adjacent to Debone I - On or about 5/21/2015, the employer failed to ensure the exit sign was illuminated by a reliable light source.

Note: Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/02/2015
Proposed Penalty:	\$5000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.141(d)(2)(i): Lavatory(s) were not made available:

a) Allen Harim, Harbeson Plant, Harbeson, DE - On or about 2/5/2015 and at times thereafter, the employer failed to make lavatories available as employees were not granted permission to use them and/or were not replaced at their lines, waiting up to 40 minutes to use lavatories.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/02/2015
Proposed Penalty:	\$4000.00



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(ii): The periodic inspection certification of energy control procedures did not contain the required documentation on identification of the machine or equipment, inspection date, employees included, and the person performing the inspection:

a) Harbeson Plant, Maintenance Department - On or about 5/7/2015, the employer failed to ensure periodic inspection certification of energy control procedures. The energy control book did not contain required documentation of inspection date, employees included and the person performing the inspection for the skinner machine and other equipment.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

Conduct periodic inspections and certification of energy control procedures. Ensure to document the identity the machine or equipment, inspection date, employees included and the person performing the inspection.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/02/2015
Proposed Penalty: \$5000.00



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(iv): The employer's certification of employee training did not contain each employee's name and date of training:

a) Harbeson Plant, Maintenance Department - On or about 12/17/2014, the employer's certification of employee training did not contain each employee's name and date of training.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/02/2015
Proposed Penalty:	\$5000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.7(b)(1)(iii): A work-related injury or illness which met the criteria of restricted work or transfer to another job was not recorded in the OSHA 300 log:

a) Allen Harim, Harbeson Plant, Harbeson, DE - A work related injury or illness which met the criteria of restricted work or transfer to another job was not recorded in the OSHA 300 log. This injury, which initially occurred on September 20, 2014, with recurrence for three months thereafter, resulted in self-referral to a physician on 12/11/2014 and the employee was placed on restricted duty. The employer was notified after the self-referral and the company physician evaluated the injury prior to the employee being placed on restricted duty. This injury does not appear in the 2014 OSHA 300 Log. Identified on or about 3/31/2015.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

Date By Which Violation Must be Abated: 07/02/2015
Proposed Penalty: \$1000.00



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 2 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(1): Review the OSHA 300 Log to verify that the entries are complete and accurate, and correct any deficiencies identified:

a) Allen Harim Harbeson Plant, Harbeson, DE- On or about December 17, 2014, the employer failed to verify that the OSHA 300 log entries for the year 2014 were complete, accurate, and failed to correct any deficiencies identified.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/02/2015
Proposed Penalty:	\$3000.00



Citation and Notification of Penalty

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951

Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(b)(3): The employer did not certify an OSHA 300A Form or equivalent.

a) Allen Harim Harbeson Plant, Harbeson, DE- On or about 4/22/2015, the employer failed to certify the annual summary of work-related injuries and illnesses, OSHA 300A Form or equivalent, recorded in the OSHA 300 logs for the year 2014:

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/02/2015
Proposed Penalty: \$3000.00

A handwritten signature in black ink, appearing to read "Erin G. Patterson".

Erin G. Patterson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
919 Market Street
Suite 900
Wilmington, DE 19801
Phone: 302-573-6518 Fax: 302-573-6532



INVOICE / DEBT COLLECTION NOTICE

Company Name: Allen Harim Foods, LLC
Inspection Site: 18752 Harbeson Road, Harbeson, DE 19951
Issuance Date: 06/15/2015

Summary of Penalties for Inspection Number	1014956
Citation 1, Serious	\$31000.00
Citation 2, Other-than-Serious	\$7000.00
TOTAL PROPOSED PENALTIES	\$38000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Erin G. Patterson
Area Director



Date